

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**Applicant:** Manabu Fujita et al.      **Examiner:** Philip Robert Smith  
**Serial No:** 10/792,237      **Art Unit:** 3739  
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**For:** CAPSULAR MEDICAL SYSTEM      **Dated:** December 30, 2009  
WITH WIRELESS COMMUNICATION  
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Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**STATEMENT PURSUANT TO 37 C.F.R. §1.704(d)**

Sir:

I hereby state that each item of information contained in the Information Disclosure Statement submitted herewith was first cited in a communication from a foreign patent office in a counterpart application and that this communication was not received by any individual designated in §1.56(c) more than thirty days prior to the filing of the Information Disclosure Statement.

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**CERTIFICATE OF ELECTRONIC FILING**

I hereby certify that this correspondence is being deposited with the United States Patent & Trademark Office via Electronic Filing through the United States Patent and Trademark Office e-business website on the date set forth below.

Dated: December 30, 2009

/Thomas Spinelli/  
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Therefore, the Information Disclosure Statement submitted herewith cannot be considered a failure to engage in reasonable efforts to conclude prosecution of the application under paragraphs (c)(6), (c)(8), (c)(9), or (c)(10) of 37 C.F.R. §1.704.

Respectfully submitted,

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